

EXHIBIT 1

Patrick Costello - Re: FW: Township of Elsmere Protective order

From: David Eagle
To: rsnuss@gmail.com; Sherman, Liza
Date: 10/17/2005 3:55 PM
Subject: Re: FW: Township of Elsmere Protective order
CC: Costello, Patrick; McNally, Edward; Schleicher, Douglas

The stipulation is fine. I will be out the next 2 days, but Patrick should be here. DSE.

>>> "Sherman, Liza H." <LSherman@morrisjames.com> 10/17/05 1:52 PM >>>
David,

Please advise as to whether this proposed change is acceptable to you. Defendants are willing to enter the stipulation as proposed by Mr. Nussbaum.

Regards,
Liza Sherman

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-----Original Message-----

From: Robert Nussbaum [<mailto:rsnuss@gmail.com>]
Sent: Monday, October 17, 2005 1:37 PM
To: Sherman, Liza H.
Cc: David Waller; Buddy Berger; JAB
Subject: Township of Elsmere Protective order

I have reviewed the proposed stipulation and the same is acceptable, provided the first line on page 2 (of paragraph 2) is amended to read "affect" instead of "implicate".

Please respond ASAP.

RSN

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